



# Missouri Emergency Response Commission

2302 Militia Drive PO Box 3133  
Jefferson City, Missouri 65102  
573-526-9249



Missouri Emergency Response Commission Agenda  
State Emergency Management Agency  
SEMA Warehouse  
754 MO DOT Driver  
Jefferson City, MO 65102  
Conference Call Number: 573-418-9401

10:03 a.m.

November 08, 2018

Welcome/Introductions –

Commission members Present: Bill Brinton, Brian Allen, Ron Walker, Bill Kidd, Lisa Cardone, Brian Munzlinger

Staff Present: Paul Kirchhoff, Patti Tye, Karen Eagleson, Lana Nelson, Lisa Jobe

Guests: Chris Berndt, Brad Harris, Dave Hensley, Rick Daly, Alan Cortvrient, Ann Seamands, Patrick Seamands, Becky Tripani, Greg Landwher

Minutes from previous meeting: A motion was made by Lisa C. to accept the minutes as written, seconded by Brain A. and passed unanimously

## **Reports:**

EPA report presented by Dave Hensley

On September 21, 2018, the U.S. Court of Appeals for the D.C. circuit issued its mandate, which made the 2017 amendments effective.  
For more information visit [www.epa.gov/rmp/risk-management-plan-rmp-delay-rule-vacatur](http://www.epa.gov/rmp/risk-management-plan-rmp-delay-rule-vacatur)

For information on compliance, dates visit [www.epa.gov/sites/production/files/2018-09/documents/rmp\\_emergency\\_coordination\\_minor\\_provisions\\_compliance\\_info\\_9-24-18\\_final.pdf](http://www.epa.gov/sites/production/files/2018-09/documents/rmp_emergency_coordination_minor_provisions_compliance_info_9-24-18_final.pdf)

EPA's Chemical Accident Prevention Program has been selected for a national compliance initiative. The goal of this initiative is to reduce the risk to human health and the environment by preventing chemical accidents. A successful initiative would reduce communities' risk by having regulated facilities and industry associations work to improve safety; increasing compliance with Risk Management and General Duty Clause requirements; and promoting coordination and communication with state and local responders and communities. Visit [www.epa.gov/enforcement/national-enforcement-initiative-reducing-risks-accidental-releases-industrial-and](http://www.epa.gov/enforcement/national-enforcement-initiative-reducing-risks-accidental-releases-industrial-and) to see tools developed for the refrigeration industry.

Region 7 has developed modules discussing the requirements of CAA 112(r) (7), common compliance pitfalls, preparing for inspections and the Region 7 inspection process, and case studies. Though the modules are geared for regulated facilities, anyone who wants to learn more about the Risk Management Program would benefit, including emergency planners. Pdfs of the webinars can also be downloaded from the site. The training is posted at [www.epa.gov/rmp/region-7-risk-management-program-webinars](http://www.epa.gov/rmp/region-7-risk-management-program-webinars)

Planning for the 2019 conference is well underway. Please contact Terri Blunk at [blunk.terri@epa.gov](mailto:blunk.terri@epa.gov) or 913-551-7013 if you have ideas for training you would like to see at the conference.

The next RRT meeting will be held March 27-28, 2019 in Oklahoma City, OK. For those unable to travel, please consider attending via teleconference <https://epawebconferencing.acms.com/r7-rrt/>. If you have questions about this meeting, please contact Eric Nold at [nold.eric@epa.gov](mailto:nold.eric@epa.gov) or (913) 551-7488.

Hazardous Waste Operations and Emergency Response (HAZWOPER) 40-Hour, Kansas City, MO, April 15-19, 2019 ○ Region 7 Training & Logistics Center, 8600 N.E. Underground Drive, Pillar 253, Door 32, Kansas City, MO 64161

This course is limited to personnel from EPA, other Federal agencies, Tribes, and state and local government, and is free of charge for them.

A medical evaluation in accordance with the Respiratory Protection Standard, 29 CFR 1910.134 is necessary in order to attend this course. Each student must include with their registration a letter from their supervisor or a copy of a medical certificate that clearly states that a medical evaluation has been completed and that the student is medically able to wear respiratory protection equipment. This must be received prior to the course start date. Registration will not be completed, nor will confirmation be sent, until the HazTrain Registrar receives such proof. If registration done on-line, fax a copy of the respiratory document to the HazTrain Registrar at 301-934-9584.

Environmental Response Training Program (ERTP) - Joe Ricard - Phone: 816-268-0200, E-mail: [ricard.joe@epa.gov](mailto:ricard.joe@epa.gov)

Long Term Response Action (LTRA): Planning, Competing and Administering Task Orders Under the EPA Remedial Acquisition Framework (RAF) Contracts, Lenexa, KS, May 14-16, 2019

Dave provided publications on Combustible dust and spoke on how to estimate the dust quantity. Publications were included in the commission packets.

Alan Cortvrient presented DNR report

The EER staff continues to engage and support local planning efforts through regular attendance at LEPC/LEPD and RHSOC meetings, either as standing committee members or in an Ex-Officio capacity. The EER staff also represents the Department at EPA Region 7 Regional Response Team (RRT) meetings, associated sub-area committee meetings, and participates in other committees such as EPA Region 7 EPCRA meetings. EER staff attended the EPA Region 7 RRT meeting on September 12-13, 2018, and are scheduled to attend the EPA Region 7 EPCRA meeting in Kansas City on November 14-15, 2018.

In an effort to serve the public and stakeholders better, the Department has implemented enhancements that have updated the ability for the public to search for incident data on our website at <https://dnr.mo.gov/env/esp/meerts/>

The following efforts have been documented in the Missouri Environmental Emergency Response Tracking System (MEERTS) and other databases.

FY19 (July through October)

- 344 incidents (9 meth-related; 335 non-meth)
- 82 responses (24.4%)
- 117 technical assistance inquiries into the spill line were managed by EER staff
- 43 outreach events were participated in by EER staff

Department staff continues to work closely with other state and federal agencies on the topical issue of Harmful Algal Blooms. Online reporting and information is available through the Department's website to the public at <https://dnr.mo.gov/env/cyanobacteria.htm>. There have been 24 HAB incidents this year. Department staff are being notified when HAB incidents occur.

The Clandestine Drug Lab Program have entered FY19 with no operational changes. The program currently oversees the operation of eight (8) chemical collection facilities throughout Missouri (Hillsboro, Jackson, Kansas City, Nixa, Palmyra, Rolla, Sedalia, and Webb City). Collection of chemicals at these facilities continue to decline with less than 1500 pounds of total hazardous waste disposed in FY18.

Four 8-hour Clandestine Drug Lab HAZWOPER recertification courses are scheduled to take place in coordination with the Missouri State Highway Patrol on November 28, 29, and December 4, 6, 2018. A 40-hour Clandestine Drug Lab HAZWOPER was scheduled for August 20-24, 2018, but was canceled due to low enrollment.

EER staff will continue to provide personal protective equipment, supplies and waste disposal services to law enforcement and fire personnel who interact with clandestine drug labs throughout the state.

The Department's Environmental Emergency Response (EER) Section assisted with six pesticide-collection events in calendar year 2018 through funds resulting from a federal settlement. Events have been completed at Portageville (March 10), Bethany (March 24), Palmyra (May 19), Perryville (June 23), Nevada (July 21), and Jefferson City (September 8). A total of 92,649 pounds have been collected from 231 participants. One event is scheduled in Portageville on March 9 for 2019 so far. Additional information about the Pesticide Collection Program may be viewed at <http://www.dnr.mo.gov/env/hwp/pesticide/>.

A commercial truck carrying automotive batteries and consumer goods caught fire after a load shift shorted out the exposed battery terminals (picture #1). The truck stopped at a truck stop in Bowling Green where the local fire department extinguished the fire. The EER Section responded to oversee the cleanup, which involved the recovery, management, and proper disposal of the damaged batteries and fire suppression water by the responsible party's contractor.

The EER Section responded to an incident involving the dumping of multiple containers of paint in Schuyler County. A person reportedly purchased a large enclosed trailer filled with containers of paint from a fiberglass business in southern Iowa. The person then traveled to three locations along a county road where approximately 80 five-gallon buckets of paint were improperly disposed. Some had broken open and several colors of non-hazardous paint were spilled to the right-of way and in a ravine. The EER Section hired a state contractor to clean up these three areas. The Department's criminal investigator is pursuing the responsible party.

The Callaway County Sheriff's Department discovered a deceased male subject in his home and found many unmarked gallon jugs of potential hazardous substances. The sheriff's office requested the MONG 7<sup>th</sup> Civil Support Team (CST) for assistance with determining the contents of the containers. The EER Section was contacted by SEMA and responded in lieu of the 7<sup>th</sup> CST. The EER Section tested 36 unmarked containers that were determined to be non-hazardous (picture #3).



Picture #1



Picture #2



Picture #3

The EER staff attended a section-wide technical skills training held in Jefferson City the week of October 16-18, 2018. Topics included policy and procedures updates, SEMA ChemPack presentation, MoDOT right-of-way and railroad program presentations, ground penetrating radar and hydraulic soil probe field activities, DNR Water Protection Program meeting, DNR Division of Environmental Quality Compliance Assistance manager meeting, 7<sup>th</sup> CST presentation, and WMD detection equipment refresher. The next section-wide training will be held in April 2019 in Jefferson City.

Greg Landwher gave division of Fire Safety report. Training numbers were included in the commission packets. Greg spoke of how the numbers were down due to upcoming end of year classes.

A report from DHSS was not received.

Patti Tye gave the Tier II update.

To date, we have received 8,305 Tier II reports for the 2017 filing year. We have completed archive, and will be requesting pickup of those next week. We are beginning to ready for the next season.

Paul spoke on CEPF.

Facilities added to Non-Reportable Quantities List – 22 - total 1678

In September 354 letters were mail from the above database. We have been very busy answering phones. The initial number of grain dust was incorrect it was 272. All have been updated. Karen is currently working with several facilities for past due tier IIs and payments from 2015 and 2016

Lana Nelson gave CEPF report. Karen and Lana have been traveling to many counties to get their CEPF applications updated. We have traveled to Miller County, Shannon County, and just recently went to Linn County. We are making a lot of progress trying to get counties their money by either traveling to their county or going to their LEPC meetings. Our goal is to get as many counties updated by the end of this year.

There are 16 counties that have been approved by Paul, the MERC Director, since our last commission meeting.

Hazmat Trainer Report was given by Lisa J.

	Class	#
9/17/18	Hazmat Tech Refresher	23
9/18/18	Hazmat Tech Refresher	17
9/19/18	Hazmat Tech Refresher	15
9/22/18	Awareness	22
9/22/18	Ignitable Liquids & Ethanol Blended Fuels	8

9/29/18	MC 306	12
10/1/18	Hazmat Tech 80 Hour	17
10/19/18	Operations	10
10/20/18	Anhydrous Ammonia	11
10/20/18	Chemical Suicide	14
10/23/18	Awareness	11
11/5/18	Awareness (estimated numbers)	15
11/6/18	Operations (estimated numbers)	15
	<b>TOTAL</b>	<b>190</b>



## MERC Director's Report



### 2019 HMEP Training

Federal Authorized	\$318,367.00
Federal Expenditures	\$16,938.96
Remaining	\$301,428.04

### 2019 CEPF

SFY 19 Beginning Cash Balance	\$957,617.03
Tier II Receipts	\$10,735.06
Damage Funds	\$50,177.40
Penalties	\$57,007.24
Interest	\$4,369.64
Total Revenue	\$1,079,906.37
Less Expenditures	\$451,939.82
Cash Balance	\$627,966.55

As of: November 5, 2018

Director's report was given by Paul K. Paul reported on the monies available through HMEP, and CEPF as shown above. Paul gave an update on the Tier II system. MERC staff are currently researching new possibilities.





## Tier II System Update



Damage Fund Account Balance	
Beginning Cash Balance	\$57,007.24
FY18 Damage Funds	\$50,177.40
Interest Fund	\$34,721.73
Expenditures	\$0.00
Cash Balance	\$141,906.37

- OA-ITSD does not have the personnel to devote to this project from in-house staff
- I attended class on Fundamentals for Project Sponsors
- **Next step** is to determine what we want the new system to look like; what we want it to do. Wants v. Needs

As of: November 5, 2018

Paul spoke about the inactive LEPCs. There is a concern of monies previously received having been spent according to CEPF guidelines. We are going to reach out to those counties and ask for financial reports of their LEPC funds from the past. The following counties are inactive since 2015: Holt, Gentry, DeKalb, Macon, Howard, Moniteau, Pulaski, Ozark and Reynolds.

CEPF maps were included in the commission packets.

Lisa gave an update on the Tablecloth and pull up stands for MERC. She is working with a designer to finalize the process and get templates.

Paul presented the commission with the 2019 CEPF application, and overview. The form has been simplified for ease in filling out application. Motion to approve application by Brian A. Second by Brian M. Motion carried.

Paul also spoke about CEPF payment to counties. Legislation states that CEPF monies be paid to each county through the county governing body. We have paid CEPF funds to county treasurers. Since then, several counties are requesting different payment option.

We have two options available to us.

One is that we hold to the strict interpretation of the law and pay to the county officials who must then provide funding to LEPC.

Two is a loose interpretation only pay county officials unless the LEPC/LEPD provide a written statement from the LEPC chair and county/city official(s) identifying the account funding should go to as well as justification for the deviation from the standard MERC practice.

After a brief discussion, commission members agreed that option one-strict interpretation of the law is the way to proceed. While we do understand the concerns of the LEPC/LEPDs, we must stick to the legislated policy.

Paul addressed the MERC travel reimbursement. Currently the MERC has a travel requirement of 50 mile radius with reimbursement for meals. SEMA policy is 75 mile radius. Paul is suggesting that the MERC maintain the current 50 mile radius with reimbursement for meals.

This will allow us to encourage people from more rural counties to attend our meetings. Motion by Lisa C. Second by Brian M.

Paul spoke on the issue of MERC bylaws. We incorporated suggestions from the commission members and a copy of proposed bylaws was included in commission packets. In future to adapt or change these bylaws requires two-thirds vote of commission members. Motion to adopt these bylaws by Ron W. Second by Lisa C. Motion carried.

LEPC Membership List to be approved for 2018

**2018**

Andrew	Miller
Ava/Douglas	Ralls
Bates	Shannon
Benton	Shelby
Cole	Webster
Laclede	
Lincoln	
Livingston	
Marion	
Mercer	
Monroe	

Multiple Year Approval

**2017**

Laclede  
Shannon

**2014, 2015, 2016**

Worth

**2012, 2013, 2014, 2015**

Shannon

**2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2017,**

Miller

Paul K. requested approval of previously mentioned counties LEPC membership lists. Motion to approve by Lisa C. Second by Brian A. Motion carried

Bill B. called Brian M. to the front of the room. Brian Munzlinger was presented with the Brad Willett Award. Presented in appreciation of his years of dedicated service to the MERC.

Meeting adjourned.

Respectfully Submitted,  
Patti Tye